

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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WIL OFORI AND RALPH KILLING  
AS TRUSTEE OF THE 6440 FOX  
DRIVE TRUST,

Court File No. 10-cv-1549 DSD/JSM

Plaintiffs,

**ORDER GRANTING DEFENDANT'S  
MOTION FOR SUMMARY  
JUDGMENT**

v.

JPMORGAN CHASE BANK,  
NATIONAL ASSOCIATION,

Defendant.

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This matter came before the undersigned judge of the United States District Court for the District of Minnesota on May 10, 2012 at 9:30 a.m., pursuant to Defendant JPMorgan Chase Bank, National Association's ("Chase") Motion for Summary Judgment. Chase filed its Motion for Summary Judgment and supporting papers on February 3, 2012, per the briefing schedule set forth in the Court's September 19, 2011 Amended Scheduling Order. The hearing was originally set for May 10, 2012 before the Honorable Susan R. Nelson, who referred the motion to Chief Magistrate Judge Arthur J. Boylan. Thereafter, Judge Nelson and Chief Magistrate Judge Boylan recused. On March 28, Chase filed an amended Notice of Hearing resetting the hearing to May 10, 2012 before Judge Doty. This Notice of Hearing was served on Plaintiffs via U.S. Mail on March 28, 2012.

Plaintiffs did not file an opposition to Chase's Motion and did not appear at the hearing on May 10, 2012. Chase appeared at the hearing through its legal counsel, Melanie A. Full.

After considering the files, records and proceedings herein, as well as the arguments of counsel, the court determines that summary judgment is warranted. Accordingly, **IT IS HEREBY ORDERED** that:

- (1) Defendant Chase's Motion for Summary Judgment [ECF No. 45] is granted;
- (2) Plaintiffs' Complaint is dismissed with prejudice in its entirety; and
- (3) The Notice of Lis Pendens filed in conjunction with this matter to recover the above property is discharged.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Dated: May 10, 2012

s/David S. Doty  
David S. Doty, Judge  
United States District Court